



## DEPARTMENT OF LAND AND NATURAL RESOURCES

### News Release

**LINDA LINGLE**  
GOVERNOR

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For Immediate Release: August 21, 2009

#### INVESTIGATIONS CLEAR DLNR ENFORCEMENT OFFICER

HONOLULU – An extensive investigation by the Office of the State Attorney General into public complaints concerning the conduct of a Department of Land and Natural Resources (DLNR) enforcement officer has found insufficient evidence to substantiate that any criminal offense was committed by the officer. The Attorney General's Office has also informed DLNR that it has no concerns regarding the officer's return to full duty.

DLNR's separate administrative investigation also revealed that the complaints were unsubstantiated or contradicted by records or other persons at the scene. During the course of the investigation, several members of the public contacted DLNR to compliment the officer's enforcement actions to stop illegal hunting on private property in the region.

Given the results of the two investigations, the officer will be returning to his field patrol duties.

"It appears that several complaints were registered by individuals who were caught violating the law and that many of the complaints were based upon their disagreement with the laws protecting Hawai'i's resources," said Laura H. Thielen, DLNR chairperson.

"The administrative investigation did bring certain matters to light and DLNR is moving forward with multiple efforts to improve our enforcement operations," she said.

"Our O'ahu Branch manager and district supervisors will also be conducting coordinated outreach to community organizations to foster improved communications and response regarding our enforcement operations and activities," added Thielen. "We want to work cooperatively with hunting organizations to encourage hunters to follow regulations so that private property owners will be willing to open more areas to hunting. DLNR-hunter partnerships can help Hawai'i's resources tremendously by containing the spread of feral pigs which do great damage to our native forests and create runoff that damage our reefs."

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Background facts:

November 2008: DLNR receives nine written complaints alleging a variety of charges against a conservation and resource enforcement officer.

DLNR asks the State Attorney General to open an independent criminal investigation into all the written complaints separate from DLNR and to take any action deemed appropriate.

DLNR also conducts its own administrative investigation into all of the complaints. During the term of the criminal investigation the officer's police powers were removed and he was placed on administrative leave.

Two complaints accused the officer of directing people to take their clothes off at the scene. The individuals later refused to file notarized statements and requested to drop the matter when notified there were audio records of the entire arrest and citation.

A third complaint was filed by a mother who accused the Officer of pointing his firearm at her child while the child was hunting with other family members. The mother was not present at the hunt.

The investigation showed that the officer was confronted by a pack of seven unleashed hunting dogs that mistook him for game in the brush and approached him. The officer drew and held his handgun at the "low ready" position to protect him from the unleashed dogs that were running loose back and forth between him and the hunting party of four adults and multiple youths emerging from the brush. Witnesses on the scene agreed that the officer holstered his weapon once the adults secured the pack of hunting dogs.

A fourth complaint alleged that the officer pointed his firearm at hunters, handcuffed every hunter in the group and arrested them. The investigation uncovered records showing that the hunters had been stopped, arrested and detained by the Department of Defense Police in that incident and not by the officer in question or any other Division of Conservation and Resource Enforcement officer.

The remaining complaints consisted mainly of charges of the officer being unprofessional and discourteous. Investigations revealed these charges of being inconclusive, in some cases due to contradictory witness statements by others in the party.

During the investigation several people interviewed complimented the officer for doing an excellent job enforcing the hunting rules.

One witness, a resident in the district, noted that prior to the officer's assignment to the area, most hunting in the 'Ewa Forest Reserve was by people trespassing on private property and taking game on private property without permission.

At least three residents stated that they had experienced numerous incidents with illegal activities by hunters, including unauthorized setting of snares on, or near residences with children, fences and locks being cut and damaged, and livestock killed.

Several of these residents contacted DLNR after reading of the complaints regarding the Officer in the newspaper to inform DLNR that they appreciated his enforcement efforts.

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For more information news media may contact:

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